United States Department of Labor Employees' Compensation Appeals Board

P.F., Appellant)) Docket No. 21-0166) Issued: March 8, 2022
U.S. POSTAL SERVICE, MAIN POST OFFICE, Humble, TX, Employer))))
Appearances: Appellant, pro se Office of Solicitor, for the Director	Case Submitted on the Record

ORDER DISMISSING APPEAL

Before: ROMILAS CI

ALEC J. KOROMILAS, Chief Judge PATRICIA H. FITZGERALD, Alternate Judge VALERIE D. EVANS-HARRELL, Alternate Judge

On November 12, 2020 appellant filed an appeal from a May 8, 2020 merit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of Appellate Boards docketed the appeal as Docket No. 21-0166.

The Board, having duly considered the matter, notes that its jurisdiction is limited to the review of final adverse OWCP decisions issued under the Federal Employees' Compensation Act. For final adverse decisions of OWCP issued on or after November 19, 2008, the Board's authority is limited to appeals, which are filed within 180 days from the date of issuance of OWCP's decision.²

The 180th day following the most recent OWCP decision, dated May 8, 2020, was November 4, 2020. As appellant did not file an appeal with the Board until November 12, 2020, more than 180 days after the May 8, 2020 decision, the Board finds that the appeal docketed as No. 21-0166 is untimely filed. The Board is without jurisdiction to review the appeal. Appellant has not offered a reason to explain her failure to timely file an appeal with supporting

¹ 5 U.S.C. § 8101 et seq.; 20 C.F.R. § § 501.2(c) and 501.3(a).

² *Id.* at § 501.3(e).

documentation sufficient to establish compelling circumstances. Because there is no final adverse decision issued by OWCP within 180 days of the filing of this appeal over which the Board may properly exercise jurisdiction, the Board concludes that the appeal docketed as No. 21-0166 must be dismissed.³ Accordingly,

IT IS HEREBY ORDERED THAT the appeal docketed as No. 21-0166 is dismissed.

Issued: March 8, 2022 Washington, DC

> Alec J. Koromilas, Chief Judge Employees' Compensation Appeals Board

> Patricia H. Fitzgerald, Alternate Judge Employees' Compensation Appeals Board

> Valerie D. Evans-Harrell, Alternate Judge Employees' Compensation Appeals Board

³ The Board's decisions and orders are "final upon the expiration of 30 days from the date of their issuance." 20 C.F.R. § 501.6(d).